

REMARKS

The application has been amended to include new claim 21, directed to a method of treating a neoplastic disease using monocytes, wherein the neoplastic disease is melanoma. Support for claim 21 includes page 13, lines 16-28 of the present specification. Claims 1-21 remain pending.

Responsive to the restriction requirement set forth in the outstanding Official Action, applicants hereby provisionally elect Group I, claims 1-6, drawn to a method of treating neoplastic or infectious diseases using monocytes, with traverse.

As to the election of species requirement imposed in the outstanding Official Action, applicants hereby provisionally elect neoplastic diseases and the chemotherapeutic drug Cisplatin, with traverse. Applicants respectfully submit that claims 1-6 and 21 read on the elected species.

The Official Action states that Groups I and II are unrelated because Group II recites an administration schedule (e.g., sequential, simultaneous, or separate) and a dosage, while Group I does not recite either feature. However, it is respectfully submitted that Groups I and II are sufficiently closely related.

Group I is directed to a method of treating a patient suffering from a neoplastic or infectious disease by administering effective amounts of monocyte derived cells and chemotherapy drugs. Group II is directed to a method of administering to a

patient suffering from cancer or an infectious disease an effective amount of monocyte derived cells and chemotherapy drugs. Thus, both groups are related in that they both recite administering an effective amount of monocyte derived cells and chemotherapy drugs to a patient for the treatment of neoplastic or infectious diseases. As to the particular administration schedule and dosage, the administering an effective amount of Group I is generic to the schedule of administering a specific effective amount of Group II. Therefore, applicants believe that the method of Group I and the method of Group II are indeed related and sufficiently closely related that a full search for either group would yield all prior art relevant to the other.

It is also respectfully submitted that the species are sufficiently closely related that a search and examination of the entire application can be made without a serious burden. The claims require administration of chemotherapeutic drugs and monocyte derived cells. Chemotherapeutic drugs are known to treat both neoplastic and infectious diseases. Thus, the species are sufficiently closely related that a full search of any one of the species would yield all prior art relevant to the other.

In light of the above discussion, therefore, it is believed that applicants are entitled to an action on the merits of all pending claims, in their full scope, in the present application. Such action is accordingly respectfully requested.

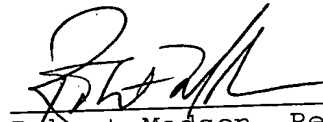
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Respectfully submitted,

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